

Adopted	Rejected
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## COMMITTEE REPORT

YES:	12
NO:	0

### MR. SPEAKER:

*Your Committee on Public Health, to which was referred House Bill 1872, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. IC 12-15-15-11 IS ADDED TO THE INDIANA
- 3 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 4 [EFFECTIVE UPON PASSAGE]: **Sec. 11. The office, for purposes**
- 5 **of the Primary Care Case Management program, and the managed**
- 6 **care contractor, for purposes of the Risk-Based Managed Care**
- 7 **program, shall:**
- 8 (1) cover and pay for emergency services as provided in
- 9 42 CFR 438.114(a) through 42 CFR 438.114(e), as amended;
- 10 (2) cover and pay for all screening, beyond procedures
- 11 routinely performed on all individuals presenting to an
- 12 emergency department regardless of the individual's actual
- 13 condition, used to determine whether an emergency medical
- 14 condition actually exists;

1           **(3) not deny a claim for emergency services on the basis that**  
 2           **the enrollee's primary care provider's authorization code for**  
 3           **the services was not obtained before or after the services were**  
 4           **rendered; and**  
 5           **(4) cover and pay for post-stabilization services provided for**  
 6           **in 42 CFR 438.114(f), as amended.**

7           SECTION 2. IC 12-17.6-1-2.6, AS ADDED BY P.L.95-2000,  
 8           SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 9           UPON PASSAGE]: Sec. 2.6. "Emergency" means a medical condition  
 10          that ~~arises suddenly and unexpectedly and~~ manifests itself by acute  
 11          symptoms of such severity, including severe pain, that the absence of  
 12          immediate medical attention could reasonably be expected by a prudent  
 13          lay person who possesses an average knowledge of health and medicine  
 14          to:

- 15           (1) place an individual's health in serious jeopardy;
- 16           (2) result in serious impairment to the individual's bodily
- 17           functions; or
- 18           (3) result in serious dysfunction of a bodily organ or part of the
- 19           individual.

20          SECTION 3. **An emergency is declared for this act.**  
 (Reference is to HB 1872 as introduced.)

**and when so amended that said bill do pass.**

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Representative Brown C